

the decisions of the Privy Council in the *Aviation Case*³ and in the *Radio Case*⁴ the legislative jurisdiction to affirm, sanction or implement treaties affecting Canada, whatever the subject-matter of them be, is vested in the Canadian Parliament, and not in the provincial legislatures. Nor has the Imperial Parliament abdicated its jurisdiction in this respect by merely enacting the Statute of Westminster.

S. E. S.

REVIEWS AND NOTICES.

Publishers desiring reviews or notices of Books and Periodicals must send copies of the same to the Editor, care of THE CARSWELL COMPANY, LIMITED, 145 Adelaide Street West, Toronto, Canada.

A LAWYER'S AUTOBIOGRAPHY.*

The publishers' blurb informs us that "Our day has known only one Clarence Darrow. His amazing life could have occurred nowhere but in America. Because he participated in so many of America's most striking events during the last fifty years, his autobiography is of the first historical importance."

There is here, surely, something of exaggeration. America has long been familiar with unconventional and picturesque pleaders in her courts; she has long had platform orators and pamphleteers of Mr. Darrow's stripe; and the professed exponent of a somewhat naïve atheism is as old as Ingersoll.

There is much that is attractive about this book. Mr. Darrow writes with ease and charm. It is not his fault if one fails to find the participation in many of America's most striking events which the publishers promised us. There is a good account of several cases having to do with labour troubles in which Mr. Darrow took the unpopular side and served his clients faithfully and well. The trial of two youths, Leopold and Loeb, for a peculiarly revolting murder that took place in Chicago in 1924, receives an exaggerated emphasis. The farcical Scopes case, which took place in Dayton, Tennessee, in 1925, is described with considerable, if rather one-sided humour. It can hardly be said that the 'Scientists' cut any more respectable figure than the 'Fundamentalists' in that extraordinary performance.

³ [1932] A.C. 54.

⁴ [1932] A.C. 304.

* *The Story of My Life*. By Clarence Darrow. New York: Charles Scribner's Sons, 1932. ix. + 464 pp.

Mr. Darrow has no very high opinion of the profession to which he belongs. His law education, he tells us, came from a year's study at a good law school and from a year's reading under a lawyer's direction. That original deposit of doctrine Mr. Darrow has been studious to preserve uncontaminated by the speculations of the schools. His considered opinion of modern jurisprudence deserves to be quoted.

"I would feel better about my work if I could see that any advance had been made in law since I was admitted to the Bar more than fifty years ago; in science and mechanics the world has been made over new, and on the purely intellectual side of life we have discovered new ways of thinking. Even in religion there is an entirely modified and broader attitude. The practice of medicine and surgery has changed almost as much since I was born as the ideas of witchcraft and sorcery in comparison with the Middle Ages. The whole material world has been made over, but the law and its administration have stood like adamant, defying time and eternity and all the intellectual and ethereal changes of our day and age."

Mr. Darrow may be right about the 'ethereal changes' (whatever these may be;—they may have something to do with the Scopes trial) but it is difficult entirely to agree with the learned author about the lack of advance in law: one thinks of Holmes, Brandeis, Cardozo, Pound . . . The last word is not with Mr. Darrow in this matter.

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Does History Repeat Itself. By R. F. McWilliams, K.C. Dent, London and Toronto, 1932, pp. 88. \$1.50.

The content of this volume is less startling than its title. It is a comparison of the present with the period after the Napoleonic wars, a forecast of the next twenty years "if history repeats itself," and a discussion whether the disturbances of the nineteenth century can be prevented in the twentieth,—all in sixty-five pages of text and twenty-two of footnotes. While some of the points of similarity are rather far-fetched, historians will have little quarrel with the general proposition that in broad outline there is a remarkable similarity between the world after Napoleon and the world after William II. Spengler's supremacy as a philosopher of history is not, however, threatened by this volume.

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NOTICES BY THE EDITOR.

The Book of English Law. By Edward Jenks, D.C.L. (Oxon.). 3rd edition. London: John Murray, 1932.

When this work first appeared in 1928 we had the pleasure of commending it. That it reaches a third edition in four years sufficiently bespeaks its value, because they cover a period not pre-eminent for the brisk sale of works appertaining to the law. The book consists of a series of lectures delivered by Dr. Jenks while he occupied the chair of English Law in the University of London. These lectures were primarily intended for the behoof of laymen who might be disposed to explore the influence of law on economic and social polity in modern communities. Hence it is not to be classed among the books we have always avoided because they claim to make every man qualified to be his own lawyer—a parlous thing. The more we have studied the law the more we have become convinced that so incredible an amount of thaumaturgy is demanded for such an achievement that the author of any attempt of the kind must be regarded, ipso facto, as suspect either from the psychiatric or criminous point of view.

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Guide to the Law and Legal Literature of France. Prepared under the direction of Edwin M. Borchard, Professor of Law, Yale University, by George W. Stumberg, Professor of Law, University of Texas. Washington: United States Printing Office, 1931. Price \$1.25.

Any legal research work performed under the direction of Professor Borchard is always impressed with thoroughness and clarity of statement. He has been happy in his choice of Professor Stumberg for the performance of this particular work. It is the fifth of a series of guides to foreign law published by the Library of Congress; the object of these publications being to afford assistance to the lawyer, the legislator, and the student of jurisprudence and social problems in their investigations. Professor Borchard in his preface to the work says: "As a leader in the modern movement for codification, France has inspired many of the codes of other Latin and of Latin-American countries; and, though the French codes are no longer the best, French courts have demonstrated that codification does not necessarily imply rigidity and inflexibility."
